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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/044,667

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Brian C. Barnes

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EXAMINER

NGUYEN, VAN H

ART UNIT

PAPER NUMBER

2194

MAIL DATE

DELIVERY MODE

11/01/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/044,667

Applicant(s)

BARNES ET AL.

Examiner

VAN H. NGUYEN

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 24 is/are allowed.
- 6) ☒ Claim(s) 1-4, 8-20, 25 and 26 is/are rejected.
- 7) ☒ Claim(s) 5-7 and 21-23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. This communication is responsive to the amendment filed 08/16/2007.

Claims 1-26 are currently pending in this application.

Cross-referenced Application information must accurately reflect the relevant status of related cases. Applicant should review the related cases and provide appropriate amendments to reflect the current information on each case with relevancy to the instant Application.

Indication of Allowable Subject Matter

2. Claims 5-7 and 21-23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, subject to a final search.

Claim 24 appears to be allowable over the prior art of record, subject to a final search.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 8-20, 25, and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by **Rechef et al.** (US 6199181 B1). The Rechef reference was cited by the Examiner in the previous office Action.

As to claim 1:

Rechef teaches a method *(a method and system for establishing and maintaining a restricted operating environment for a computer program to prevent the program from exploiting bugs and/or data of another computer program which shares the same hardware, while at the same time allowing some form of restricted, well-controlled communication between the programs/provide true protection of multiple computer programs and operating systems executing simultaneously from untrusted and potentially rogue programs and operating systems) [see Figs.2-9 and the associated text], comprising:*

- executing a software object (*program/computer program*) [see col. 1, lines 16-24 and col.3, line 15-col.4, line 44; see also, Figs. 2-9 and the associated text];
- establishing a security level (*security level*) for the software object [see col. 1, lines 16-24 and col.3, line 15-col.4, line 44; see also, Figs. 2-9 and the associated text]; and
- performing a virtual address based memory access using the security level, performing the virtual address based memory access comprising using a secondary table and at least one virtual memory table (*see the physical memory/virtual memory/security level/ tables/virtual memory tables discussions beginning at col.8, line 4*).

As to claim 2:

Rechef teaches using a processor (*a processor*) to process software code of the software object (*see the abstract; see also, Figs. 2-9 and the associated text*).

As to claim 3:

Rechef teaches assigning a security level relating to a memory access of at least a portion of a memory (*see the physical memory/virtual memory/security level/segmentation discussions beginning at col.8, line 4; see also, Figs. 2-9 and the associated text*).

As to claim 4:

The rejection of claim 1 is incorporated herein in full. Additionally, Rechef teaches establishing the secondary table performing the virtual address memory access based upon the memory access request; and accessing a portion of a memory based upon the virtual address memory access (*see the physical memory/virtual memory/security level/tables/virtual memory tables/segmentation discussions beginning at col.8, line 4; see also, Figs. 2-9 and the associated text*).

As to claim 25:

Rechef teaches executing a function of the object based upon the virtual address based memory (*see the physical memory/virtual memory/virtual memory table discussions beginning at col.8, line 4; see also, Figs. 2-9 and the associated text*).

As to claim 12:

Note the rejection of claim 1 above. Claim 12 is the same as claim 1, except claim 12 is an apparatus claim and claim 1 is a method claim.

As to claims 17-20, and 26:

Note the rejection of claims 1-4, and 25 respectively. Claims 17-20, and 26 are the same as claims 1-4, and 25, except claims 17-20, and 26 are computer readable claims and claims 11-4, and 25 are method claims.

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As to claim 13:

The rejection of claim 1 above is incorporated herein in full. Additionally, Rechef further teaches a processor (*processor*), a bus (*bus*), a memory unit (*memory*), and a memory access interface is inherent to the system of Rechef .

As to claim 14:

Rechef teaches at least one microprocessor (*CPU*).

As to claim 15:

Note the discussion of claim 1 above for rejection.

As to claim 16:

Rechef teaches the memory unit comprises, among other things, a random access memory (*RAM*).

As to claim 8:

Note the discussion of claims 1 and 4 above for rejection.

As to claims 9 and 10:

Note the discussion of claims 2 and 3, respectively, for rejection.

As to claim 11:

The rejection of claim 1 above is incorporated herein in full. Additionally, Rechef further teaches determining a segment being executed based upon the physical address and defining a current security level based upon the determining of the segment being executed (*see the physical memory/virtual memory/security level/ tables/virtual memory tables/segmentation discussions beginning at col.8, line 4; see also, Figs. 2-9 and the associated text*).

Response to Arguments

4. Applicant's arguments filed 08/16/2007 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. The prior art made of record, see PTO 892, and not relied upon is considered pertinent to applicant's disclosure. Applicant should review these references carefully before responding to this office action.

Contact Information

6. Any inquiry or a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: (571) 272-2100.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN H. NGUYEN whose telephone number is (571) 272-3765. The examiner can normally be reached on Monday-Thursday from 8:30AM-6:00PM. The examiner can also be reached on alternative Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM THOMSON can be reached at (571) 272-3718.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



VAN H. NGUYEN
PRIMARY EXAMINER